

11/07/03



11/07/03 U.S. PTO

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

INT1P932C1

22264 U.S. PTO  
10/703393

11/07/03

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Gaile Gordon, entitled BACKGROUND ESTIMATION AND SEGMENTATION BASED ON RANGE AND COLOR, for a(n):

- ( ) Original Patent Application.
- (X) Continuing Application (prior application not abandoned):  
     (X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
     of prior Application No. 09/453,450, filed December 3, 1999.
- (X) Please add after the title of the application "This is a  
     (X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
     of Application No. 09/453,450, filed December 3, 1999, which is hereby incorporated by reference."
- (X) This application claims the benefit of U.S. Provisional Application No. 60/110,919, filed December 4, 1998.

## Enclosed are:

- (X) Specification; 22 Total Pages. (X) Drawing(s); 3 Total Sheets.
- ( ) Oath or Declaration:  
     ( ) A Newly Executed Combined Declaration and Power of Attorney:  
         ( ) Signed. ( ) Unsigned. ( ) Partially Signed.
- ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
     ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
- ( ) Power of Attorney. (X) Return Receipt Postcard.
- ( ) Associate Power of Attorney. ( ) A Check in the amount of \$\_\_\_\_\_ for the Filing Fee.
- (X) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
- ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
- ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
- ( ) Statement(s) of Status as a Small Entity.
- ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
- (X) Request and Certification.
- ( ) Other: \_\_\_\_\_

PLEASE DO NOT CHARGE THE FILING FEE AT THIS TIME.

Respectfully submitted,

By: 

Scott Kokka, Reg. No. 51,893

Date: November 7, 2003

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

By: 

Typed Name: Joanne Pontis

Express Mail Label No.: EV323815863US

Date of Deposit: November 7, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:	)	Attorney Docket No. INT1P932C1
GORDON, et al	)	
	)	Examiner: Unassigned
	)	
Application No: Unassigned	)	Art Unit: Unassigned
	)	
Filed: Herewith	)	
	)	Date: November 7, 2003
Title: BACKGROUND ESTIMATION AND	)	
SEGMENTATION BASED ON RANGE	)	
AND COLOR	)	
	)	

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REQUEST AND CERTIFICATION  
UNDER 35 U.S.C. 122(b)(2)(B)(i)

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Respectfully submitted,



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**Attorney Docket No.: INTP32C1**